

# Jefferson Borough, York County, Pennsylvania

## Meeting Minutes for February 6, 2012

### **Present**

President Marlyn Stauffer  
 Mayor James Sanders  
 Vice President Dawn Roser  
 President Pro-Tem Dave Loeffler  
 Councilwoman Anne Loeffler  
 Councilwoman Jennifer Ritz  
 Councilman Wilson Heltzel  
 Junior Council Person Jon Ritz

### **Also Present**

Secretary Treasurer Deborah Corbin  
 Engineer Chad Clabaugh  
 Attorney Glenn Smith

### **Absent**

Councilman Dave Ritz

### **I. Pledge to the Flag**

President Stauffer led the February 6, 2012 Jefferson Borough Council Meeting with the pledge to the flag of the United States of America at 7:00 p.m.

### **II. Minutes**

President Stauffer asked Council to review the January 3, 2011 regular meeting minutes. Mr. Loeffler made a motion to adopt the January 3, 2011 minutes with a correction to page 4, Section XIV, A., 4. Mowing around Borough Shed, to read as follows; "...that the Boy Scouts could construct the bridge using it as a service project." Mrs. Loeffler seconded the motion. The motion passed unanimously.

### **III. Planning Commission Report**

Mr. Eiben was present to report that no meeting was held in January regarding the waiver requests from Nextel. Mr. Eiben explained that Nextel was to be working on stormwater perk tests and drainage options as viable according to the Stormwater Ordinance. Mr. Clabaugh told Council he had spoken with the engineer Kevin Wolfe from Nextel who had reported that he had not been given the authorization to proceed with the engineering of these waivers from Nextel. Nextel reported to Mr. Clabaugh that they intended to submit an extension request. The four options for Council to consider concerning the Nextel plans were; approval, denial, time extension, or no action which would be considered an approval. March 21<sup>st</sup> would be the 90-day extension letter deadline. The Planning Commission does not meet but without a time extension the Planning Commission would not recommend passage of the plan to Council during the March Council meeting. Mr. Eiben then reported that CFR Development was considering a new plan for the development of the corner property. No new plans had been submitted at that time for the February meeting.

### **IV. Solicitor's Report**

#### **A. Cherry Street Vacancy**

Attorney Smith reported to Council that the Vacancy Ordinance for north Cherry Street was confirmed for the March meeting. The advertisement would be published by the solicitor.

#### **B. Council Reduction**

Attorney Smith recapped for Council the events thus far concerning the Council seat reduction. There was a motion to reduce the Council by 2 members, one in 2014 and one in the 2016 election. Mayor Sanders asked Attorney Smith how long the petition would be valid. Attorney Smith said that the Court of Common Pleas is simply waiting for a rescheduled court date or no rescheduled court date. Council discussed the situation and decided to try to find two people that would serve in the Borough as Council Seat hunters. Council agreed that finding someone to fill the seat was only half the issue, finding a motivated person to fill the seat was the goal.

#### **B. Electronic/Jake Brakes**

President Stauffer explained to Attorney Smith that the Borough had trucking traffic in the overnight hours. As the trucks enter the Borough from the north or south they head into a valley down a long hill.

Truckers tend to shift down the hill instead of using brakes which causes a very loud sound during the hours residents are sleeping. President Stauffer wondered if the Borough could erect signs to regulate the use of electronic Jake brakes. Attorney Smith said he would look into it and get back to Council next month.

#### **D. Evacuation Plan Meeting**

Council inquired with attorney Smith about the possible necessity of advertising a meeting with the Public Safety welfare Committee and several members of the community. The question of a quorum of a committee versus a quorum of the Council present at a meeting necessitating advertisement was raised. Attorney Smith said he would research the issue and inform the Secretary Treasurer.

#### **E. EDU's / Proof of Inspection by Zoning Officer**

The Borough was presented with the request to distribute a letter to those property owners that did not pay the proper Established Dwelling Unit (EDU) fee when applying for their permit. The Borough does not collect the money, though the established EDU's are a Borough designation. The Council decided to have the Zoning Officer send a letter to all property owners that are remiss in payment. The Sewer Authority would have to follow up with non-payment.

#### **F. Hagan/Sterner 8/10 Hanover Street**

Mr. Sterner would like to put in his sewer connection. He is unable to do that without trespassing on the Hagan property. Mr. Hagan has not responded to any mail sent to him, and the house has been abandoned for some time. The Secretary Treasurer was requested to compose a letter for Mr. Hagan since his proper address was recently discovered by CGA Law Firm and pass it by Attorney Smith before mailing.

### **V. Engineer's Report**

#### **A. IWRP/ Stormwater Ordinance**

Mr. Clabaugh reported that Mr. Baltzar from C.S. Davidson met with the Zoning Officer to cover the short form storm water ordinance permit process including the establishment of a project as a disconnected impervious area (DIA) that qualifies for the short form. The official definition of a DIA is seventy-five (75) feet of surrounding vegetation at less than a 5% slope with type B soil. The Zoning Officer would need to discuss the process and time commitment with his direct employer in Spring Grove to speculate on the foreseen needs of all five municipalities under the Zoning Officer's jurisdiction. Mr. Clabaugh explained that there would be additional inspection and maintenance requirements, and that the York County Planning Commission's intent was to have the zoning officers handle that. If our Zoning Officer was not to handle the short form permitting the engineering firm would, though there is no leverage on the municipality's part on whether it must be handled. Mr. Clabaugh explained that these changes and additional mandates have come from the federal level, handed to the state, and to the individual counties for compliance, so opting out is not an option. Mr. Clabaugh provided the Borough with a fee schedule from C.S. Davidson for performing the short form permitting evaluations for the storm water ordinance. The Council discussed waiting for the agreement with the Zoning Officer and other contracted municipalities to be considered before deciding who would be processing the storm water ordinance requirements for permits issued in the Borough. Mr. Clabaugh suggested to Council to consider adopting the completed ordinance and setting an effective date for a later time to avoid re-advertisement fees. This action would also show progress in the good faith effort to set this legislation to work for the fulfillment of the Department of Environmental Protection's time mandates, and it would give the Borough an opportunity to deal with the administration and fees within the infrastructure of our workforce. President Stauffer made a motion to adopt the Storm Water Ordinance No: 2012-1 with an effective date of July 1, 2012. Mrs. Loeffler seconded the motion. The motion passed with all yeah votes.

#### **B. Garage Work**

Mr. Clabaugh submitted two work change orders to the Borough. One was for an additional cost of \$565.00 for the change in truss designs, and one for a 23-day extension for the project. Mr. Loeffler

made a motion to precede with the two change orders for Hanover Building Systems, Inc. Mr. Heltzel seconded the motion. The motion passed with all yea votes.

### **C. SALDO Change**

Mr. Clabaugh pulled examples of other ordinances dealing with street lighting and found Windsor Township had a simple solution, or that there were complicated ordinances that dealt with lighting societies that discussed proper illumination of streets and sidewalks. Another middle ground option was the PA Ordinance template. The next step would be to form an ad hoc committee. President Stauffer asked that the Light Water & Gas Committee look at the information and meet. A meeting date of Friday, February 17<sup>th</sup> at 9:00 a.m. was set. The Secretary Treasurer would forward information on to the Committee from Mr. Clabaugh, who would provide a consultant for the meeting from C.S. Davidson.

### **C. Double Yellow Lines**

President Stauffer inquired with Mr. Clabaugh concerning the new legislation requiring double yellow lines on municipal streets. Mr. Clabaugh had done some research and found that the new legislation would not apply to our Borough side streets as they are not classified as wide enough for this treatment. Single yellow lines are now forbidden. Mayor Sanders raised a concern over the difficult turn on Burns Road, and inquired if double yellow lines could be used there. Caution signs or lines on Burns Road and Highland Avenue are a consideration for the future, but not a requirement by the state.

Mr. Clabaugh and Attorney Smith left the meeting at 9:03 p.m.

## **VI. Residents**

Two residents inquired about the procedure for sewage seepage from a resident's tank. President Stauffer explained that if an address was reported to the Borough Office the Sewage Enforcement Officer, Mr. Doug Stambaugh, was notified to inspect a situation and work with the residents to repair the septic system. President Stauffer would hope that the resident was in the process of hooking into the sewer.

## **VII. Treasurer's Report**

### **A. Treasurer's Report 1/3/2012**

#### **Checking / Savings**

01.100.000. General Fund	\$52,646.92
30.100.000. Capital Improvement Fund	\$15,070.64
05.100.000. Parks & Recreation Fund	\$64.69
35.100.000. Highway Fund	\$2,009.05
18.109.000. CD - Centennial Fund	\$7,275.29
<b>Total Checking / Savings</b>	<b>\$77,066.5</b>

#### **Debt**

HVAC Peoples Bank	\$35,883.73
Roof and Gutter Loan Peoples Bank	\$74,992.19
DCED HVAC Loan	\$35,560.49
<b>Total Debt</b>	<b>\$146,366.41</b>

**Balance** **-\$69,299.82**

Mrs. Ritz made a motion to accept the Treasurer's Report. Mrs. Roser seconded the motion. The motion passed with all yea votes. The Secretary Treasurer reported that a second five-year short-term loan for the DCED HVAC Loan would be drafted in April.

## **VIII. Jefferson Codorus Joint Sewer Authority (JCJSA) Report**

### **A. Borough Resident Hook-Up Letter**

The Secretary Treasurer received a letter from Mr. Wagaman of Independence Avenue for Council. The letter was a complaint regarding the lateral placement for his property. Council received a copy for review. President Stauffer reported that the Wagaman residence was not hooked-up to the sewer.

## **IX. Zoning Officer Report**

### **A. Building/Zoning Permits**

Fifty-eight sewer connection permits for a total revenue of \$3,712.00, and two other building permits for a total revenue of \$69.00 were issued for January.

## **B. Code Enforcement**

The Zoning Officer reported no new zoning notifications.

## **X. Mayor's Report**

### **A. Incidents**

The reports for December and January were available for Council review. The Mayor commented that he was upset by the burglary charges in the Borough. Council agreed that the Borough would need to closely watch the crime issues in the Borough.

## **XI. Committee Reports**

### **A. Building Property & Supply Committee Mr. Heltzel/ Chair Mr. Loeffler/Member**

#### **1. Maintenance List**

Council suggested it was soon time to start putting up street signs and that that item should be added to the maintenance list. Also, there was a television dropped off at the Borough and the Secretary Treasurer was to find out how to get rid of it by contacting Penn Waste.

#### **2. Fork Lift**

This item has been tabled until further notice.

#### **3. New Bench**

Mr. Heltzel offered to get the bench part to Mr. Baum as a template to make the new bench.

#### **4. Salt Spreader & Snow Blower**

President Stauffer explained to Council that a new salt spreader would be a necessary purchase this year. A suggestion to purchase a remote control type of spreader was made in order for the apparatus to be easily transferred between trucks. Mr. Heltzel said he would start looking for prices. Additionally the snow blower would need to have a rack to be hauled from one location to another as the trailer idea would not work. Mr. Thoman offered to make a rack that affixes to the truck for this purpose.

#### **5. Shoveling Stairwells**

President Stauffer explained to Council that the stairwells around the Borough building had French drains that might overflow with a thaw of a large snowstorm. President Stauffer inquired with Council about adding shoveling the stairwells to the maintenance list. Council agreed that this was a good idea.

#### **6. Signs**

President Stauffer reported that the street signs on Highland Avenue and Burns were being put up immediately in response to a resident concern. The resident e-mail was available for Council review.

#### **7. New Copier**

The Secretary Treasurer inquired with Council about purchasing a new copier that was a copier rather than the budgeted black and white copier. There would be an additional \$675.00 fee for the color copier. Council discussed the possible future needs of the Borough Mr. Loeffler made a motion to purchase the black and white copier for \$975.00. Mrs. Loeffler seconded the motion. The motion passed with all yeas votes.

### **B. Finance Committee –Mrs. Ritz/ Chair Mrs. Loeffler/Member**

The Secretary Treasurer attended the YATB Meeting and reported that an employee was let go due to negligence of tax reporting. YATB decided by motion to collect back taxes from the lawful date forward, but to allow those individuals that had remitted payment the option to re-pay without penalty or interest, unless a payment plan was established, in which case interest would apply. Those individuals that did not remit payment would be fined interest for the back taxes with the initial re-billing.

### **C. Light Water & Gas Committee – Mrs. Roser / Chair Mrs. Ritz / Member**

Mrs. Roser reported that the Committee had set a meeting with Patriot Energy but the representative did not show up for the meeting. Mrs. Roser also reported that Benchmark Energy would save the Borough approximately \$30.00 a month, though the rates varied and there was a penalty if the Borough did not keep the year-long contract. A representative from Liberty Energy also called and offered a 2.5 cents

cheaper rate than Met Ed, though there was a 24 month contract obligation and stiff penalties for breaking the contract. President Stauffer reported that a local newspaper had published an article warning consumers to sit tight with regard to electric supplier changes until the market stabilized. Mrs. Ritz explained that she and Mrs. Roser had discussed the same issue and recommended to Council not to change providers at this time.

**D. Public Safety & Welfare Committee – Mrs. Loeffler/Chair Mrs. Roser/ Member**

Mrs. Loeffler reported that she had attended the Fire Company meeting and that a copy of the Minutes and the Treasurer’s report was available for Council in the Office. Mrs. Loeffler also reported that the PSAB suggestion for public comment according to the Sunshine Law was to be held as the first agenda item and the last agenda item. President Stauffer acknowledged this suggestion and explained that our agenda holds public comment after the Engineering and Solicitor’s reports so that any concern from the public can be addressed by them. Mrs. Loeffler also requested that the Council members in need of NIMS training fulfill that requirement. President Stauffer explained that the training was available online. Council requested that the Secretary/Treasurer look into providing an on-site training.

**E. Solid Waste & Sewer Committee – Mr. Ritz /Chair Mr. Heltzel/Member**

No report.

**F. Streets & Sidewalks Committee – Mr. Loeffler/ Chair Mr. Ritz/ Member**

**1. Sidewalks 33-45 Hanover Street**

This item is tabled until an estimate is received.

**2. Pot Holes**

Council reported pot holes at the corner of Hanover and Emerson Streets. Mr. Loeffler said he would investigate the situation.

**3. Snow Plowing**

Mr. Thoman requested that two drivers be available for snow removal. President Stauffer would like a council member to meet with Mr. Thoman to review the request. Mr. Heltzel said he would contact Mr. Thoman.

**G. Web Site Committee – Mr. Jon Ritz/ Chair**

The choices for the new website are being considered for the spring.

**XII. New Business**

**A. Evacuation Plan Meeting**

The date for the meeting has been set for February 23<sup>rd</sup> at 07:00 pm. All parties have responded positively to the invitation.

**B. Recording Secretary March 5, 2012**

Mrs. Yingling responded that she would act as the recording secretary for the March 5, 2012 meeting. Council decided that the reimbursement rate would be \$12.00 an hour.

**C. Statement of Financial Interests**

The Secretary/Treasurer requested that anyone who has not submitted their statement to do so by the May meeting.

**D. Fire Company List/Council List**

The final copy of the elected and appointed officials for the Fire Company and Borough were copied for the Council.

**E. Nominations for Primary and Alternate Representatives YAMPO**

Mr. Jim Sanders would like to have his name submitted for the primary or alternate YAMPO representative for District 5.

**XIII. Old Business**

**A. PSAB Conference**

Mrs. Loeffler made a motion to pay for President Stauffer’s attendance to the spring PSAB Conference, and for Mayor Sanders’ to have his attendance paid for using Marriage Revenues. Mr. Loeffler seconded the motion, the motion passed unanimously.

**B. Billing Sewer Authority**

President Stauffer explained to Council that several invoice items on the Engineer’s Bill came from the malfunctioning sewage ejection pump installed by the Sewer Authority. The Secretary/Treasurer would be billing the Authority.

**C. North Cherry St. Vacancy**

The Secretary/Treasurer was requested to provide a list of all fees incurred by the Borough in the process of vacating the street.

**D. Borough Boundaries Survey**

After the adoption of the street map ordinance, the Borough may decide to focus on re-surveying the boundaries of the municipality.

**E. Rolled Curb at Sunset Street**

Mr. Chronister at 37 Sunset Street called President Stauffer to report that the rolled curb in front of his home was not replaced by the Sewer Authority. He reported that there was water damage due to water seeping into his yard. President Stauffer referred him to the Sewer Authority.

**XIV. Communication**

- A. PSAB Up-Date & Training**
- B. YCPC –Nominations for Primary and Alternate Representative**
- C. DCNR Grant Opportunities**
- D. Municipal Zoning Ordinance Training**
- E. Robert C. Edwards Foundation Scholarship**

**XV. Adjournment**

Mr. Loeffler made a motion to adjourn the February 6<sup>th</sup>, 2012 Jefferson Borough Council meeting at 10:12 pm. Mr. Heltzel seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Deborah Jean Corbin  
Secretary Treasurer  
Jefferson Borough